



PATENT
ATTORNEY DOCKET NO. 10487-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Konia, Brad S.
Serial No.: 09/491,747 Examiner: Karmis, Stefanos
Filed: January 27, 2000 Group Art Unit: 3624
Title: ONLINE AUCTION BID MANAGEMENT SYSTEM AND METHOD

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR § 1.131 Declaration of Prior Invention

Sir:

I, Brad S. Konia, declare as follows:

1. I am the inventor of all pending claims in the above-referenced patent application (U.S. Patent Application Serial No. 09/491,747).

2. Prior to December 23, 1999, I had completed my invention as described and claimed in the subject application in this country, as evidenced by the following:

A. Prior to December 23, 1999, I created a flow chart indicating a fully functional system and other descriptive materials regarding the invention. A copy of an electronic mail dated July 1, 1999, from me to my attorney, Ivan Posey, is attached hereto as Exhibit A.

B. A letter sent by facsimile transmission from my attorney, Ivan Posey, to me dated July 6, 1999, with draft patent drawings is attached as Exhibit B (with

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material that is subject to attorney-client privilege or work product immunity), which further indicates that the invention had been reduced to practice.

3. A letter sent by facsimile transmission from my attorney, Ivan Posey, to me, dated July 6, 1999, making reference to draft patent drawings reflecting vendor-buyer and commodities buyer embodiments for the invention is attached hereto as Exhibit C (with redactions for material that is subject to attorney-client privilege or work product immunity).

4. A letter sent by facsimile transmission from my attorney, Ivan Posey, to me dated July 13, 1999 of a further revised draft of the patent drawings that included airline and golf embodiments is attached hereto as Exhibit D (with redactions for material that is subject to attorney-client privilege or work product immunity).

5. A letter sent by facsimile transmission from my attorney to me dated November 29, 1999, with an attached draft of the full text and drawings of the patent application showing claims 1 through 23 is attached hereto as Exhibit E.

All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

Dated: 8/24/05

Respectfully submitted,


Brad S. Konia